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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/383,481	08/26/1999	RIKU RIMPELA	460-008876-U	6634
7590 CLARENCE A GREEN PERMAN & GREEN LLP 425 POST ROAD FAIRFIELD, CT 06430			EXAMINER YUN, EUGENE	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 04/15/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/383,481

**Applicant(s)**

RIMPELA ET AL.

**Examiner**

EUGENE YUN

**Art Unit**

2618

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 and 13-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 13-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 December 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/IC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 10/2/07, 3/17/08, 3/18/08

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 6-9 and 13-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Honkasalo et al. (US 5,995,496) in view of Oberholtzer et al. (US 5,465,399).

Referring to Claim 1, Honkasalo teaches a method for controlling the operation of a mobile station in a packet switched communication network based on a cellular network, which communication network is arranged to transfer information using downlink or uplink data transmission between a base station and at least one mobile station by means of a radio channel, comprising the step of:

using a transmission power on a set level on the radio channel to transfer information (see ABSTRACT).

Honkasalo does not teach transmitting information that is divided into successive blocks of the downlink data transmission from the base station to the mobile station on the radio channel, and wherein one of said blocks comprises data indicating power reduction in the transmission power level of said one block of the downlink data transmission or another block of the downlink data transmission to be transmitted

subsequently. Oberholtzer teaches transmitting information that is divided into successive blocks of the downlink data transmission from the base station to the mobile station on the radio channel (see col. 13, lines 2-18), and wherein one of said blocks comprises data indicating power reduction in the transmission power level of said one block of the downlink data transmission or another block of the downlink data transmission to be transmitted subsequently (see col. 28, lines 47-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Oberholtzer to said method of Honkasalo in order to simplify the system by reducing memory use.

Referring to Claim 8, Honkasalo teaches a communication system for implementing packet switched data transmission based on a cellular network, which communication system is arranged to transmit information using downlink or uplink data transmission between a base station and at least one mobile station by means of a radio channel, comprising:

means for arranging data transmission on the radio channel to take place with a transmission power on a set level (see ABSTRACT).

Honkasalo does not teach transmitting information that is divided into successive blocks of the downlink data transmission from the base station to the mobile station on the radio channel, and wherein one of said blocks comprises data indicating power reduction in the transmission power level of said one block of the downlink data transmission or another block of the downlink data transmission to be transmitted subsequently. Oberholtzer teaches transmitting information that is divided into

successive blocks of the downlink data transmission from the base station to the mobile station on the radio channel (see col. 13, lines 2-18), and wherein one of said blocks comprises data indicating power reduction in the transmission power level of said one block of the downlink data transmission or another block of the downlink data transmission to be transmitted subsequently (see col. 28, lines 47-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Oberholtzer to said method of Honkasalo in order to simplify the system by reducing memory use.

Referring to Claim 9, Honkasalo teaches a wireless communication device, arranged to function in a communication system, which communication system is arranged to implement packet switched data transmission based on a cellular network, and which communication system is arranged to transmit information using downlink or uplink data transmission between a base station and said wireless communication device by means of a radio channel, comprising:

means for arranging data transmission on the radio channel to take place with a transmission power on a set level (see ABSTRACT).

Honkasalo does not teach transmitting information that is divided into successive blocks of the downlink data transmission from the base station to the mobile station on the radio channel, and wherein one of said blocks comprises data indicating power reduction in the transmission power level of said one block of the downlink data transmission or another block of the downlink data transmission to be transmitted subsequently. Oberholtzer teaches transmitting information that is divided into

successive blocks of the downlink data transmission from the base station to the mobile station on the radio channel (see col. 13, lines 2-18), and wherein one of said blocks comprises data indicating power reduction in the transmission power level of said one block of the downlink data transmission or another block of the downlink data transmission to be transmitted subsequently (see col. 28, lines 47-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Oberholtzer to said method of Honkasalo in order to simplify the system by reducing memory use.

Claims 24, 26, and 28 have similar limitations as claims 1, 8, and 9.

Referring to Claim 2, Oberholtzer also teaches said one block comprising data indicating power reduction in the transmission power level of another block to be transmitted next (see col. 28, lines 47-55).

Referring to Claim 3, Oberholtzer also teaches said one block comprising data indicating power reduction in the transmission power level of said one block (see col. 13, lines 2-18).

Referring to Claims 6, 22, and 25, Honkasalo also teaches the reduction in the transmission power level indicated as a difference with respect to a known reference level (see col. 8, lines 25-32).

Referring to Claim 7, Honkasalo also teaches said known reference level as a BCCH channel according to the GPRS system (see col. 6, lines 40-53).

Referring to Claim 13, Oberholtzer also teaches the mobile station using the data indicating power reduction in the transmission power level to determine if a change in a

received signal is caused by the base station or an environmental change (see col. 28, lines 47-55).

Referring to Claim 14, Oberholtzer also teaches using the data indicating reduction in the transmission power level information to adjust at least one parameter in the mobile station (see col. 28, lines 47-55).

Referring to Claim 15, Oberholtzer also teaches the parameter as timing, frequency, or amplification (see col. 13, lines 2-15).

Referring to Claim 16, Oberholtzer also teaches using the data indicating reduction in the transmission power level information to adjust a reception level in the mobile station to a correct range (see col. 23, line 63 to col. 24, line 5).

Referring to Claim 17, Oberholtzer also teaches adding the data indicating power reduction in the transmission power level to the block when the block is transmitted (see col. 28, lines 47-55).

Referring to Claims 18 and 29, Oberholtzer also teaches the data indicating power reduction in the transmission power level determined on a transmission end of the radio channel (see col. 28, lines 47-55).

Referring to Claims 19 and 27, Oberholtzer also teaches the data indicating power reduction in the transmission power level is the transmission power level at the transmitting end of the radio channel (see col. 28, lines 39-55).

Referring to Claim 20, Oberholtzer also teaches the one of said blocks including data indicating power reduction in the transmission power level at the transmitting end of the radio channel (see col. 28, lines 47-55).

Referring to Claim 21, Oberholtzer also teaches the data indicating power reduction in the transmission power level is the power reduction in the transmission power level in use at the base station (see col. 13, lines 2-18).

Referring to Claim 23, Oberholtzer also teaches the one block comprising the data and having indicated power reduction is a block transmitted from the base station, and the other block having the indicated power reduction is a block to be transmitted from the base station (see col. 13, lines 2-18).

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Honkasalo and Oberholtzer and further in view of Hamalainen et al. (US 6,359,904).

Honkasalo teaches an RLC block according to the GPRS system used as said one block (see col. 11, lines 18-20). The combination of Honkasalo and Oberholtzer does not teach the data indicating power reduction in the transmission power level transmitted by means of an MAC header in the RLC block. Hamalainen teaches the data indicating power reduction in the transmission power level transmitted by means of an MAC header in the RLC block (see col. 3, lines 65-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Hamalainen to the modified communications network of Honkasalo and Oberholtzer in order to reduce the use of too high power levels in a mobile station.



4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Honkasalo, Oberholtzer, and Hamalainen, and further in view of Turina (US 6,031,832).

Hamalainen teaches said power reduction in the transmissions power level indicated by means of bits contained in an octet of said MAC header (see col. 9, lines 23-38). The combination of Honkasalo, Oberholtzer, and Hamalainen does not teach at least some of the bits being arranged for a TFI field in a way known as such. Turina teaches at least some of the bits being arranged for a TFI field in a way known as such (see col. 7, lines 48-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Hamalainen to said communications network of Honkasalo in order to reduce the use of too high power levels in a mobile station.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-9 and 13-29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EUGENE YUN whose telephone number is (571)272-7860. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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